

**BERKELEY CITY COUNCIL HEALTH, LIFE ENRICHMENT, EQUITY &
COMMUNITY COMMITTEE
REGULAR MEETING MINUTES**

BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

**Monday, May 13, 2019
10:00 AM**

2180 Milvia Street, 6th Floor - Redwood Room

Committee Members:

Councilmembers Rashi Kesarwani, Ben Bartlett, and Sophie Hahn

Roll Call: 10:16 a.m. All present.

Public Comment on Non-Agenda Matters – 1 speaker

Minutes for Approval

Draft minutes for the Committee's consideration and approval.

1. Minutes - March 25, 2019

Action: M/S/C (Kesarwani/Bartlett) to approve the minutes of March 25, 2019.

Vote: All Ayes.

Committee Action Items

The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.

Following review and discussion of the items listed below, the Committee may continue an item to a future committee meeting, or refer the item to the City Council.

2. Brown Act Overview

Action: Item continued to June 24, 2019.

Committee Action Items

3. Discussion of staff reports from Health, Housing and Community Services

Action: 3 speakers. Discussion held. M/S/C (Kesarwani/Bartlett) to receive the reports.
Vote: All Ayes.

4. Ban Racial Discrimination on the Basis of Hairstyle

From: Councilmembers Robinson, Davila, Bartlett, and Hahn

Referred: March 11, 2019

Due: September 15, 2019

Recommendation: Ban racial discrimination on the basis of a person's natural hairstyle by either:

- Adopt a new Section of the Berkeley Municipal Code: Chapter 13.23 RACIAL DISCRIMINATION ON THE BASIS OF HAIRSTYLE IN EMPLOYMENT, HOUSING, AND PUBLIC ACCOMMODATIONS, prohibit grooming or appearance policies which target natural hair or hairstyles;

Or

- Issue local legislative interpretation guidelines regarding both the illegality of disparate impact grooming or appearance policies under the Fair Employment and Housing Act, and the illegality of refusing public services on the basis of mutable characteristics under California Civil Code Section 51.

Financial Implications: See report

Contact: Rigel Robinson, Councilmember, District 7, 981-7170

Action: 5 speakers. Revised item submitted by author. Discussion held. M/S/C (Bartlett/Kesarwani) to have the author forward to the City Manager with revisions for initial review by the City Attorney and continue the item to June 24, 2019, to allow time for review.

Vote: All Ayes.

5. Referral Responses: Managing Recreational Vehicle (RV) Parking

From: City Manager

Referred: March 26, 2019

Due: September 30, 2019

Recommendation: On March 26, 2019, the City Council referred this item to the Health, Life Enrichment, Equity & Community Committee to establish basic criteria for a "permanent" standard two-week permitting process. The standard two-week permit should consider the following:

- A limited number of permits to be issued by the City per month (or other increment).
- Locations to be geographically dispersed among all Council districts.
- A reasonable fee to cover City costs associated with the permit.

Financial Implications: See Report

Contact: Paul Buddenhagen, City Manager's Office, 981-7000

Action: 7 speakers. Discussion held. Item continued to June 10, 2019.

Committee Action Items

6. Air Quality Monitoring Program

From: Councilmembers Bartlett, Harrison, and Davila

Referred: April 8, 2019

Due: October 28, 2019

Recommendation: Referral to the Public Health Department to establish an advanced air quality monitoring program in Berkeley to provide data about how air quality in the city varies over time and between neighborhoods. To better implement this program, the City should form partnerships with technology companies, environmental research groups, and healthcare providers.

Financial Implications: See report

Contact: Ben Bartlett, Councilmember, District 3, 981-7130

Action: Item continued to June 10, 2019.

Committee Action Items

7. Creation of Vehicle Dwellers Governance Body

From: Councilmember Bartlett

Referred: April 8, 2019

Due: October 28, 2019

Recommendation: Refer to City Manager for policy language to create a Governance Body for permitted vehicle dwellers in Berkeley. This proposal is meant to engender purpose and responsibility among participants. Accordingly, the Governance Body should be self-governing, self-organizing, and self-funding. Governance body will uphold the following conditions: 1. All residents must be registered with Berkeley's Coordinated Entry Program. 2. At all times, vehicles must be registered and fully operable. 3. No illegal substances, weapons, violence, or disruptive behavior will be tolerated either on site or in the immediate neighborhood. 4. Vehicle repairs are not to be performed on-site. 5. No property will be stored outside the vehicle, excluding items exceeding 6 feet in length, and one propane BBQ grill. Personal and immediate areas must remain trash free. 6. A noise curfew will be instituted in agreement with the neighbors. 7. A council including area neighbors and RV dwellers will be established. Participation is mandatory. 8. All residents are expected to pay monthly rent of no more than \$200 per month. The Governance Body will convene weekly at a set time, and act as the final decision making body and conflict resolution forum. All residents, whether in attendance or not, agree to comply with the Body's decisions.

Matters related specifically to drugs, weapons, violence, and/or criminal activity will result in immediate termination of residents' tenancy. Such matters may be taken up at the discretion of the Governance Body which may uphold, modify, or set aside termination.

In cases of conflict among residents, the following procedures will take place: 1. A complaint is filed by a resident to the Governance Body. The complaint will be heard at the Governance Body meeting. 2. The Governance Body investigates the complaint and makes a determination. If the determination is that the complaint is legitimate, a notice of cease and desist is issued. The recipient of the cease and desist letter will have 72 hours to comply or leave. 3. If the recipient received a cease and desist letter, they may appeal the decision to the Governance Body. The Governance Body will have the ability to meet outside its normal weekly meeting schedule in case of an appeal. 4. If the appeal is upheld, no further action will be taken and the recipient of the cease and desist letter can stay in the community. If the appeal is rejected, the recipient of the cease and desist letter has 24 hours to comply or leave. Governance Body decisions can only be appealed once.

Financial Implications: See report

Contact: Ben Bartlett, Councilmember, District 3, 981-7130

Action: 6 speakers. Discussion held. Item continued to June 10, 2019.

Councilmember Bartlett absent at 12:11 p.m.

Unscheduled Items

These items are not scheduled for discussion or action at this meeting. The Committee may schedule these items to the Action Calendar of a future Committee meeting.

- None

Future Agendas

Discussion of Listening Sessions including topics and invitees

Adjournment

Action: M/S/C (Kesarwani/Hahn) to adjourn the meeting.

Vote: Ayes – Kesarwani, Hahn; Noes – None; Abstain – None; Absent – Bartlett.

Adjourned at 12:27 p.m.

I hereby certify that this is a true and correct record of the Health, Life Enrichment, Equity & Community Committee meeting held on May 13, 2019.

April Richardson, Assistant City Clerk